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8  
9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11  
12 DAVID B. CLARK, individually and as trustee  
13 for The Clark Trust,

14 Plaintiff,

15 v.

16 DOMA TITLE INSURANCE, INC.; DOES I  
17 through X; ROE CORPORATIONS I through X,  
inclusive,

18 Defendants.  
19

Case No.: 3:24-cv-00437-MMD-CLB

**ORDER GRANTING STIPULATION  
TO STAY DISCOVERY**

20 Plaintiff, David B. Clark, individually and as trustee for the Clark Trust (**Clark**), and  
21 defendant, Doma Title Insurance, Inc. (**Doma**), stipulate to stay discovery pending resolution of  
22 Doma's motion to dismiss. ECF No. 6. In support of this stipulation, the Parties state as follows:

23 1. Clark initiated this action on August 30, 2024, alleging causes of action for: (1)  
24 declaratory judgment; (2) breach of contract; (3) bad faith breach of insurance contract/breach of  
25 implied covenant of good faith and fair dealing - contract; and (4) violation of Nev. Rev. Stat. §  
26 686A.310.

27 2. Doma removed the action on September 25, 2024. ECF No. 1.

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1           3.       On October 2, 2024, Doma filed its motion to dismiss seeking to dismiss Clark's  
2 complaint in full, ECF No. 6.

3           4.       The parties have conferred regarding discovery and case deadlines and agree to a stay  
4 of discovery pending resolution of the motion to dismiss.

5           5.       Federal district courts have "wide discretion in controlling discovery." *Little v. City of*  
6 *Seattle*, 863 F.2d 681, 685 (9th Cir. 1988). In exercising this discretion, a district court may stay  
7 discovery based on the filing of a motion that is "potentially dispositive of the entire case." *Tradebay,*  
8 *LLC v. eBay, Inc.*, 278 F.R.D. 597, 601 (D. Nev. 2011). *See also Turner Broadcasting Sys. v. Tracinda*  
9 *Corp.*, 175 F.R.D. 554, 556 (D. Nev. 1997) (holding that "[w]hether to grant a stay is within the  
10 discretion of the Court...").

11          6.       The parties submit a stay of discovery promotes judicial economy and efficiency as  
12 between the parties and with the court as Doma's motion is potentially dispositive of the entire case.  
13 While Clark does not concede Doma's motion to dismiss has merit, he recognizes it addresses certain  
14 threshold issues regarding contract interpretation that could potentially narrow the scope of discovery  
15 in this case. Regardless of how the court ultimately rules on Doma's motion, the court's decision is  
16 likely to provide clarity of the scope of issues on which discovery is needed.

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7. Based on the foregoing, and in order to preserve the parties' resources and to promote judicial economy, the parties have agreed, subject to the court's approval, to stay discovery pending resolution of Doma's motion to dismiss.

8. The parties submit this stipulation in good faith and not for the purpose of delay or prejudice to any party.

DATED November 4, 2024.

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<u>/s/ Donna M. Wittig</u>	<u>/s/ Brittany Wood</u>
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IT IS SO ORDERED.

  
UNITED STATES MAGISTRATE JUDGE

DATED: November 4, 2024